

**EXTENSION AND AMENDMENT TO  
THE MEMORANDUM OF UNDERSTANDING BETWEEN  
THE GOVERNMENT OF THE UNITED STATES OF AMERICA  
AND THE GOVERNMENT OF THE REPUBLIC OF EL SALVADOR  
CONCERNING THE IMPOSITION OF IMPORT RESTRICTIONS  
ON CERTAIN CATEGORIES OF ARCHAEOLOGICAL MATERIAL  
FROM THE PREHISPANIC CULTURES OF THE REPUBLIC OF EL SALVADOR**

The Embassy of the United States of America refers the Ministry of Foreign Affairs of the Government of the Republic of El Salvador to the Memorandum of Understanding Between the Government of the United States of America and the Government of the Republic of El Salvador Concerning the Imposition of Import Restrictions on Certain Categories of Archaeological Material from the Prehispanic Cultures of the Republic of El Salvador done at Washington March 8, 1995 (hereinafter referred to as "the MOU") and subsequently extended for an additional five-year period effective March 8, 2000.

The Embassy, on behalf of the Department of State, proposes that, pursuant to Article IVA of the MOU, the MOU be extended for an additional five-year period. The Embassy, on behalf of the Department of State, proposes further that, pursuant to Article IV B of the MOU, the MOU be amended by replacing Article II with the attached Article II.

If the foregoing proposals are acceptable to the Ministry of Foreign Affairs of the Government of the Republic of El Salvador, the Embassy, on behalf of the Department of State, proposes that this note, including the attached Article II, and the Government of the Republic of El Salvador's note in reply, shall constitute an agreement to extend and amend the MOU, which shall enter into force on the date of your note in reply and shall be effective March 8, 2005.

Attachment: As stated.

Embassy of the United States of America

San Salvador, 7 March 2005

**ARTICLE II**

- A. The Government of the Republic of El Salvador will use its best efforts to encourage long- and short-term loans, for research and scientific purposes, of its archaeological materials under circumstances in which such exchange does not jeopardize its cultural patrimony and when consistent with the responsibilities of the National Council for Culture and Art (CONCULTURA), as carried out in accordance with the Special Law for the Protection of Cultural Patrimony of El Salvador.
- B. The governments of the United States of America and the Republic of El Salvador will each endeavor to publicize and enforce this Memorandum of Understanding.
- C. The Government of the United States of America will continue to use its best efforts to facilitate technical assistance in cultural resource management and security to El Salvador, as appropriate under existing programs in the public and/or private sectors.
- D. Both countries will seek to encourage academic institutions, non-governmental institutions, and other private organizations to cooperate in the interchange of knowledge and information about the cultural patrimony of El Salvador, and to collaborate in the preservation and protection of such cultural patrimony through appropriate technical assistance, training, and resources.

- E. The Government of the Republic of El Salvador will use its best efforts to continue with the systematic registration of cultural property as required by its law.
- F. Recognizing the need to engage the public in the protection of the national cultural heritage, the Government of the Republic of El Salvador will continue, and strengthen where possible, its efforts to educate the public regarding the importance of understanding and protecting archaeological sites, and the obligation of citizens to know and comply with the laws that protect and safeguard the cultural heritage.
- G. Recognizing the benefits of intergovernmental and inter-institutional collaboration, the Government of the Republic of El Salvador will continue to endeavor to strengthen cooperation with international organizations and the other nations of Central America, especially with immediately neighboring states, in activities that foster the protection of the cultural patrimony of the region.
- H. The Government of the Republic of El Salvador will use its best efforts to ensure the enforcement of its laws against illicit export, to continue the interdiction and prosecution of illicit exports of archaeological materials, to gather and manage data on incidents of looting, and to maintain and make public the records of arrests related to looters and the seizure of cultural property.
- I. The Government of the Republic of El Salvador will use its best efforts to implement and publicize its national archaeological research strategy, which takes into account the interests, concerns, and priorities of the Government and its cultural authorities.
- J. The Government of the Republic of El Salvador will undertake to review, revise where necessary, and publish a procedure by which qualified foreign archaeologists and other scholars may apply for permission to undertake field research in El Salvador, including explicit stipulation of any and all Government requirements, obligations, and conditions that might attach to such permissions.
- K. The Government of the Republic of El Salvador will endeavor to become a Member State of ICCROM [International Centre for the Study of the Preservation and Restoration of Cultural Property], in order to contribute to and benefit from the community of nations committed to the conservation of their cultural heritage.